

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

FRANK SIVORI

PLAINTIFF

V.

CIVIL ACTION NO. 2:07cv79-MTP

CHRISTOPHER EPPS, *et al.*

DEFENDANTS

ORDER

THIS MATTER is before the court on the Plaintiff's Motion for a List of Expert Witnesses [71]. The court, having considered the Motion [71], finds that it should be denied.

In his Motion [71],¹ Plaintiff asks the court to provide him with a list of the names and addresses of experts on the subject of second-hand smoke. The court is aware of no such list kept by the Clerk's office. Further, the court does not find it necessary to appoint any experts in this matter at this time. Finally, although Plaintiff is proceeding *pro se* and *in forma pauperis* under 28 U.S.C. § 1915, Fifth Circuit precedent establishes that "[t]he plain language of section 1915 does not provide for the appointment of expert witnesses to aid an indigent litigant." *Hannah v. United States*, 523 F.3d 597, 601 (5th Cir. 2008) (quoting *Pedraza v. Jones*, 71 F.3d 194, 196 (5th Cir. 1995)).

IT IS, THEREFORE, ORDERED:

That Plaintiff's Motion for a List of Expert Witnesses [71] is DENIED.

SO ORDERED this the 15th day of September, 2008.

s/ Michael T. Parker

United States Magistrate Judge

¹Plaintiff's Motion [71] is actually a letter to the Clerk requesting relief.